## Case 2:06-cv-00395-MHT-CSANUPrecument 18 Filed 07/10/2006 Page 1 of 3

## IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF ALABAMA NORTHERN, DIVISION

HON. CHARLES S. COODY, MAG. JUDGE AT MONTGOMERY, ALABAMA

DATE COMMENCED: 7/10/06 AT 1:33 p.m. to 1:46 p.m

DATE COMPLETED: 7/10/06 FTR Recorded

JIM MOCK, ET AL \*

Plaintiff \*

vs.. \* CASE NO. 2:06CV395-MHT-CSC

CHANDELEUR HOMES, ET AL. \*

Defendant \*

PLAINTIFF APPEARANCES: DEFENDANT

Atty. Carter Gibson Vance \* Atty. Gregory S. Ritchey

**COURT OFFICIALS PRESENT:** 

COURTROOM DEPUTY: WANDA STINSON LAW CLERK: CORRIE LONG

(X) OTHER PROCEEDINGS: <u>TELEPHONE STATUS/SCHEDULING CONFERENCE</u>

## **SEE MINUTES ATTACHED**

motion to shorten time and the response;  1:34:22 PM  Atty. Vance  Response; Have filed a couple cases against Char Enterprises; Alter ego type case; This case will go arbitration; Parties think to not to resolve the alter at this time; I would make sense to hold decisions and deft Champion Enterprises in obeyance or an administrative docket and let the parties address a and discuss the merits of the case;  1:36:14 PM  Atty. Ritchey  Response regarding problem with having a lot of the obeyance;  1:37:09 PM  Court  Judge Thompson would be one who would decide dispose those issues; Response; Discussion as to motion for summary judgment and the motion to did There is briefing schedule entered on June 8th; June		OG OF PROCEEDINGS ELECTRONICALLY RECORDED		
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1 :41:07 PM court Addresses concern as to the deadline to complete				
1 · 41 · 26 PM Atty Vance Response	·············		Addresses concern as to the deadline to complete discovery;	
1.71.20 IVI Market Incopolise,	:41:26 PM	Atty. Vance	Response;	
1 :41:34 PM Court Suggest that counsel together an agree on what no agreed to; Agree to file a joint motion withdrawing dispositive motions, request the court to stay the a	······à·	***************************************	Suggest that counsel together an agree on what needs to be agreed to; Agree to file a joint motion withdrawing the dispositive motions, request the court to stay the action against Champion and stay the case pending arbitration;	
1 :42:42 PM Atty Vance Sounds perfect;	:42:42 PM	Atty Vance		

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1 :42:44 PM	Court	Get that submitted before Judge Thompson gets back; Will send him a email message regarding this;
1 :43:10 PM	Atty. Ritchey	Response;
1 :43:27 PM	Atty. Vance	Response as to dismissing Champion;
1 :43:40 PM	Atty. Ritchey	Response;
1 :44:24 PM	Court	Parties advised to file motions in both cases; This makes the motion to shorten time moot?
1 :44:33 PM	Atty. Vance	Yes sir;
1 :44:35 PM	Court	Will deny that as moot;
1 :44:50 PM	Atty. Ritchey	We filed a request or a motion to withdraw our M/Dismiss or for Summary Judgment with a request to place those issues in obevance:
1 :45:08 PM	Court	The parties agree to withdraw motion for sumary judgment and motion to dismiss at this time without prejudice and reques that the court stay the action against Champion and Chandeluer pending arbitration against Chandeluer to which the parties agree; How long is it taking with arbitration in these cases?
1 :45:43 PM	Atty. Vance	Response;
1 :46:19 PM	Court	Conference call ends.

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